

PHILLIP A. TALBERT
United States Attorney
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JARIN CRUZ-ROSALES,

Defendant.

CASE NO. 2:22-cr-0190-JAM

**STIPULATION TO VACATE STATUS
CONFERENCE AND SET CHANGE OF PLEA
HEARING; ORDER**

DATE: April 23, 2024
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

UNITED STATES OF AMERICA,

Plaintiff,

v.

JARIN CRUZ-ROSALES,

Defendant.

CASE NO. 2:23-cr-0038-JAM

**STIPULATION TO VACATE STATUS
CONFERENCE AND SET CHANGE OF PLEA
HEARING; ORDER**

DATE: April 23, 2024
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for an April 23, 2024 at 09:00 a.m. status conference in both above-captioned matters. *See* Case No. 2:22-CR-190-JAM, ECF No. 33; Case No. 2:23-CR-38-JAM, ECF No. 20 (23 case). The Court ordered time under the Speedy Trial Act be excluded under Local Code T4, up to and including that date. *Id.*

2. By this stipulation, the parties now move to convert the status conferences to a change of

1 plea on the indictment and an admit-deny hearing on the TSR violation petition, and to set both for
2 April 23, 2024 at 09:00 a.m., before this Court.

3 3. The parties have reached an omnibus resolution in these cases, which has been
4 memorialized in a written agreement, transmitted to the Court on April 16, 2024.

5 4. Because defense counsel intends to use the time between now and April 23, 2024, to
6 prepare her client for the change of plea hearing, and the admit-deny hearing, and to continue her review
7 and investigation of the discovery for the purposes of plea and sentencing, the exclusion of time under
8 Local Code T4 remains appropriate.

9 5. The government does not object to maintaining the current exclusion of time under Local
10 Code T4 up to and including April 23, 2024.

11 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
12 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
13 must commence.

14 IT IS SO STIPULATED.

15 Dated: April 17, 2024

PHILLIP A. TALBERT
United States Attorney

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17 /s/ JAMES R. CONOLLY
JAMES R. CONOLLY
Assistant United States Attorney

18 Dated: April 17, 2024

19 /s/ NOA OREN
NOA OREN
Assistant Federal Defender
Counsel for Defendant
20 JARIN CRUZ-ROSALES
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ORDER

The Court, having read the foregoing stipulation of the parties, and adopting the representations therein, orders as follows:

1. The matter, captioned Case No. 2:22-cr-190-JAM, is set for a change of plea hearing on April 23, 2024, at 9:00 a.m., before this Court.
2. The matter, captioned Case No. 2:23-cr-38-JAM, is set for an admit-deny hearing on April 23, 2024, at 9:00 a.m., before this Court.
3. The status conferences set in each matter on April 23, 2024, are hereby vacated in lieu of the change of plea and admit-deny hearings.
4. The exclusion of time under Local Code T4, currently running through April 23, 2023, by prior order of this Court, will remain in place.

IT IS SO FOUND AND ORDERED.

Dated: April 17, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE